



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

Regulatory Division
North Permits Branch

PUBLIC NOTICE

Permit Application No. 200309051 (IP-TSB) SEP 26 2003

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

APPLICANT: Canaveral Port Authority
P.O. Box 267
Cape Canaveral, Florida 32920

WATERWAY & LOCATION: The proposed project is located along the northern beaches of the City of Cocoa Beach. Sand materials will be placed between monuments R-014 south to R-020 in Section 26, Township 24 South, Range 37 East, Brevard County, Florida.

DIRECTIONS TO SITE: The Cocoa Beach Pier is in the middle of the sand placement reach proposed under this extension. Access may be gained through public access points along this reach.

LATITUDE & LONGITUDE: Latitude.....28°22'00" North
Longitude.....80°36'00" West

PROJECT PURPOSE:

Basic: The basic project purpose is to restore the natural southward littoral drift that is otherwise interrupted by the Canaveral Port entrance channel, navigation project.

Overall: The overall project purpose of the proposed activity is to shift part of the bypassed sand volume further downdrift (south) of the Canaveral Harbor inlet. This will (1) increase the project's effectiveness in restoring the southerly littoral drift across the inlet, (2) reduce dredging requirements in the navigation channel by decreasing the volume of bypassed sand transported northward around the south jetty and into the inlet, and (3) reduce the periodic renourishment requirements of the Brevard County Shore Protection Project, North Reach.

PROPOSED WORK and PROJECT HISTORY: The Canaveral Port Authority (CPA) proposes to extend southward the sand fill placement area associated with the Canaveral Harbor Federal Sand Bypass Project. The CPA is the non-Federal sponsor of the Canaveral Harbor Sand Bypass Project.

The existing Sand Bypass Project transfers 936,000 cubic yards (CY) of sand every six years from the shoreline north of Port Canaveral Entrance to the beach south of the inlet in order to restore the natural southward littoral drift that is otherwise interrupted by the navigation project. The bypass operation is constructed via a conventional cutterhead pipeline dredge. The Corps or Engineers' (Corps) prior operations and existing plans include placement of the bypassed sand to about 12,800 feet south of the inlet's south jetty.

The proposed activity would allow the Corps to extend placement of the bypassed sand up to 5,800 feet further south along the Brevard County Beaches; i.e., extending the placement from 12,800 feet to as much as 18,600 feet south of the south jetty. The sand bypass (dredge) volume would not change. Instead, the fill placement would be shifted southward, and/or the width of the fill placement would be reduced as the placement length is extended. The ultimate length within the proposed 5,800 ft extension along which the Corps would place the bypassed sand would be determined by the Corps and non-federal interests as a function of prevailing beach conditions and project costs.

The limits of both the existing placement area and the proposed southward extension of the sand bypass project are included within the Brevard County Federal Shore Protection Project, North Reach. Sand placed by the bypass operation constitutes the majority of the periodic renourishment requirements for the Shore Protection Project. The construction operations, dimensions, and environmental protection measures of sand fill for the sand bypass and shore protection projects are basically identical except that the sand source for the former is the beach north of the inlet and the sand source for the latter includes several offshore borrow areas.

The Corps Planning Division supports the physical rationale for the southward extension of the bypass fill placement, but has concluded that it does not presently have authorization to extend the fill southward as part of the existing federal bypass project. However, the Corps is willing to bid the extension as

an 'alternate' and to construct it as a 'betterment' at 100% non-federal cost.

A requisite for this construction option is for the Port Authority to acquire a Department of the Army permit for the proposed extension. *Separate application has already been made to FDEP to include this 5,800-ft fill area extension in the State permit as part of the permit's renewal.* A ten-year permit duration is requested, consistent with the FDEP permit. The proposed time frame will cover the next two (2) anticipated bypassing events, in 2004 and 2010, plus two to three years thereafter for physical and environmental monitoring, tilling, etc. Biological opinions, FDEP permits, and other NEPA compliance documentation already exist for both projects.

PROJECT DESCRIPTION: The proposed activity would place up to 400,000 cubic yards of sand beach fill along the Atlantic Ocean shoreline of Brevard County, Florida, between 12,800 feet and 18,600 feet south of the Canaveral Harbor Entrance south jetty (FDEP reference monuments R14 to R20), approximately every six years. The proposed restoration would involve 16 acres of sand fill placement adjacent to and below the existing mean high water line Atlantic Ocean between 12,800 and 18,600 feet south of Port Canaveral Entrance.

The source of the fill sand would be the ocean shoreline north of Canaveral Harbor, along the Cape Canaveral Air Station, dredged as part of the Canaveral Harbor Federal Sand Bypass Project. The sand fill would be placed as a 65- to 85-ft wide landward berm at elevation of approximately +10.5 ft above mean low water, mlw (+8.6 ft NGVD '29) sloping gradually to a seaward berm elevation of approximately +9.5 ft mlw (+7.6 ft NGVD '29), with seaward slope of approximately 1:25 to the intersection with the existing seabed. Project construction would be by the Corps. The final volume and length of shoreline length of sand placement within the extension area will be determined by the Corps at the time of each project's construction as a function of prevailing conditions.

Numerical modeling indicates that extending the bypass placement area between 2200 ft and 5800 ft southward would decrease the volume of sand returning northward toward the inlet by between 5,000 and 7,800 cubic yards per year, respectively. Over the six year construction intervals of sand bypassing and beach

renourishment, this would decrease federal maintenance requirements at Canaveral Harbor and concurrently decrease periodic renourishment requirements along the North Reach of the Federal Shore Protection Project by 30,000 to 46,800 cubic yards.

ENDANGERED SPECIES and ESSENTIAL FISH HABITAT:

The Planning Division of the Corps prepared the following documents under NEPA that address the sand transfer, nearshore borrow areas, and beach restoration:

1. Environmental Assessment (EA) Canaveral Harbor, Florida Sand Bypass System, dated May 1993 (Bypass EA)
2. Environmental Assessment (EA) Expansion of the Nearshore Borrow Area, dated July 1996 (Bypass EA)
3. Environmental Impact Statement (EIS) on the Brevard County Shore Protection Project dated September 1996 (Shore Protection EIS)

The Bypass EA addressed the sand transfer components but did not consider the beach between R-14 and R-20, these areas were considered under the Shore Protection EIS.

The listed species that may occur in the area of the proposed activities include: loggerhead turtle (*Caretta caretta*, T), leatherback (*Dermochelys coriacea*), hawksbill (*Ertmochelys imbricata*), Kemp's Ridley (*Lepidochelys kempii*), green sea turtle (*Chelonia mydas*), finback whale (*Balaenoptera physalus*, E), humpback whale (*Megaptera novaeangliae*, E) right whale (*Eubalaena glacialis*, E), sei whale (*Balaenoptera borealis*, E), sperm whale (*Physeter macrocephalus caodon*, E), west indian manatee (*Trichechus manatus*, E), southeastern beach mouse (*Peromyscus polionotus niveiventris*), and the piping plover (*Charadrius milodius*, T).

National Marine Fisheries Service (NMFS), Endangered Species

Division: Based on the consultation provided during the Bypass EA, Expansion of the Nearshore Borrow Area EA, and Shore Protection EIS, process the Corps has determined the project may effect but is not likely to adversely effect the listed species found in the Brevard County near shore waters and beach systems. The Corp Regulatory Division will confirm the validity of these determinations.

U.S. Fish and Wildlife Service (FWS) Endangered Species: Based on the consultation provided during the Bypass EA, Expansion of the Nearshore Borrow Area EA, and Shore Protection EIS, process the Corps has determined the project may effect but is not likely to adversely effect the listed species found in the Brevard County near shore waters and beach systems. The Corp Regulatory Division will confirm the validity of these determinations.

The threatened piping plover was not addressed in the three NEPA documents referenced above. The Corps has made a determination that the work may affect but is not likely to adversely affect the piping plover and it's critical habitat and is coordinating that determination with the FWS. This determination is based on the fact that this migratory bird does not nest along the coast of Florida and is uncommon in Brevard County.

National Marine Fisheries Service (NMFS), Essential Fish Habitat, NMFS:

The Corps has initiated the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposal would impact approximately 5,800 linear feet of sand/beach shoreline. There are no hardbottom or other environmentally sensitive resources anywhere along or near the proposed southward extension of the sand placement area. Nearshore rock outcrops along the Brevard County shoreline occur over 9 miles to the south of the proposed activity. Based on the consultation provided during the Bypass EA, Expansion of Nearshore Borrow Area EA, and Shore Protection EIS process, the Corps has determined that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the South Atlantic. The Corp Regulatory Division will confirm the validity of these determinations.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified.

AUTHORIZATION FROM OTHER AGENCIES: A beach restoration permit was issued by the Florida Department of Natural Resources under permit number DBS9A0316, issued on November 23, 1993. The corresponding Florida Department of Environmental Regulation water quality certification, 052229049, was issued on November 4, 1993 and expires on November 4, 2003. A ten-year renewal was submitted to Florida Department of Environmental Protection in

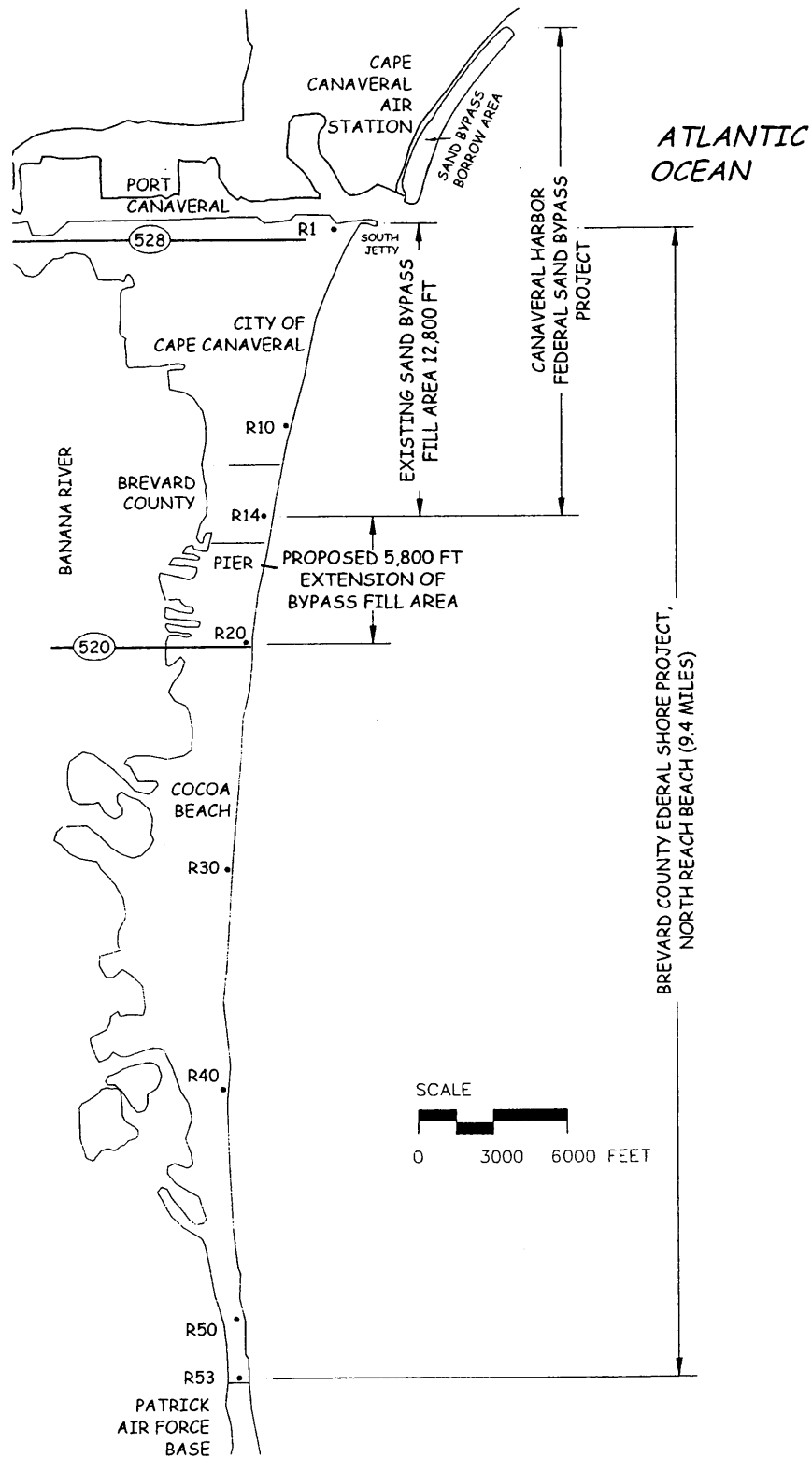
June 24, 2003. The request will include the additional 5,840 linear feet of beach as proposed in this Public Notice.

The next sand bypass activity is scheduled for January-April, 2004. The Jacksonville District is preparing construction documents this summer and anticipates advertising the project for construction in October 2003.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within 30 days from the date of this notice.

If you have any questions concerning this application, you may contact Stephen Brooker of this office either by letter at the letterhead address, by telephone at 321-453-7655 x17, by e-mail at stephen.brooker@saj02.usace.army.mil, or by fax at 321-453-5220.

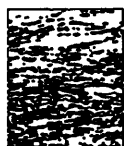
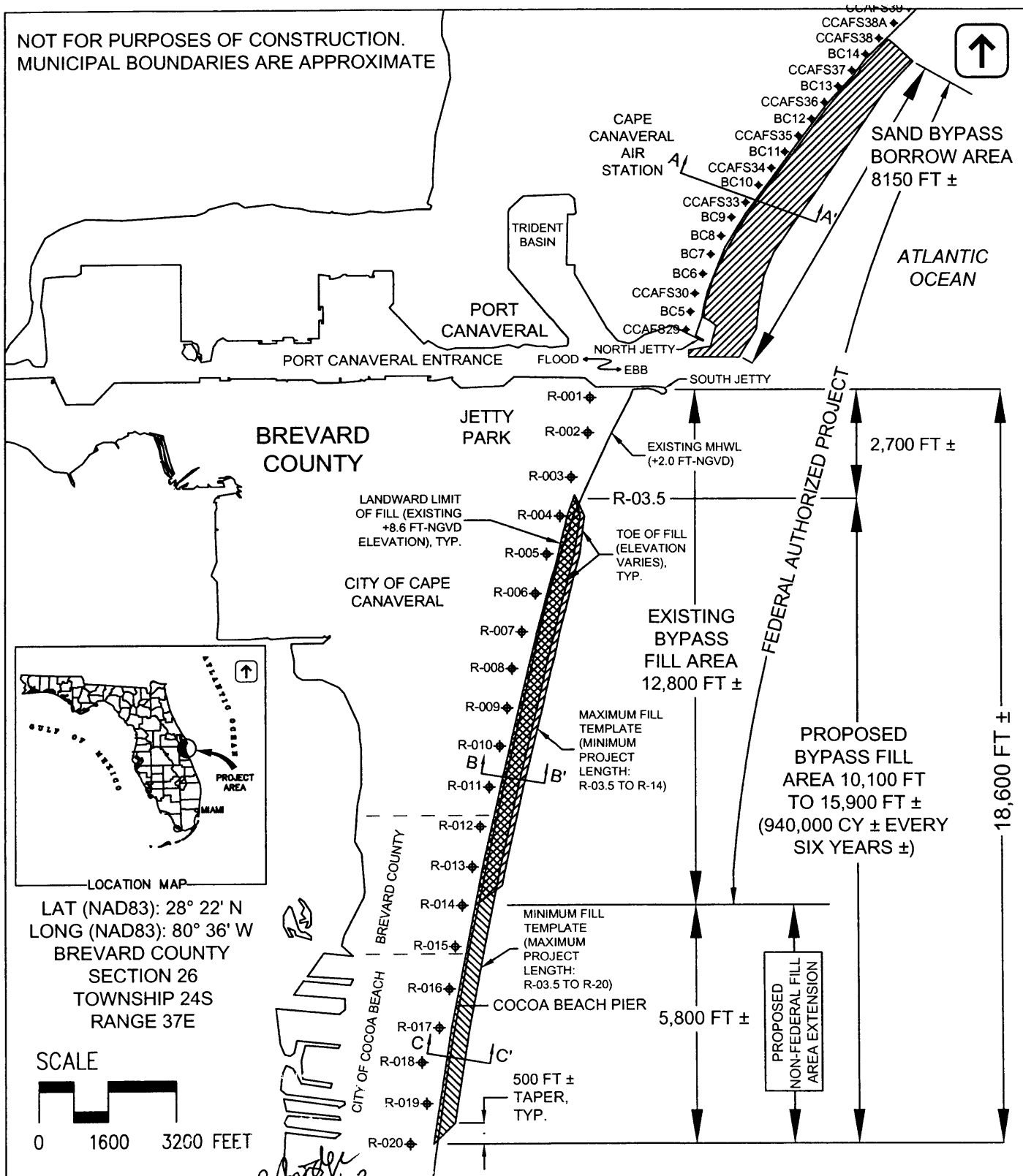
Canaveral Harbor Federal Sand Bypass Project



Location of proposed sand bypass extension relative to existing limits of the Canaveral Harbor Federal Sand Bypass and Brevard County Shore Protection Projects

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 DATE 11 SEPT 03
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NOT FOR PURPOSES OF CONSTRUCTION.
MUNICIPAL BOUNDARIES ARE APPROXIMATE



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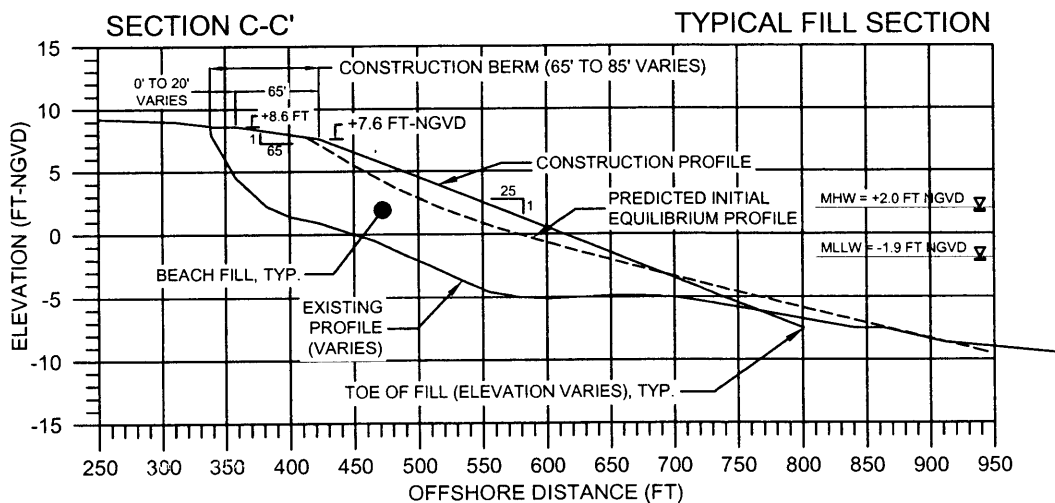
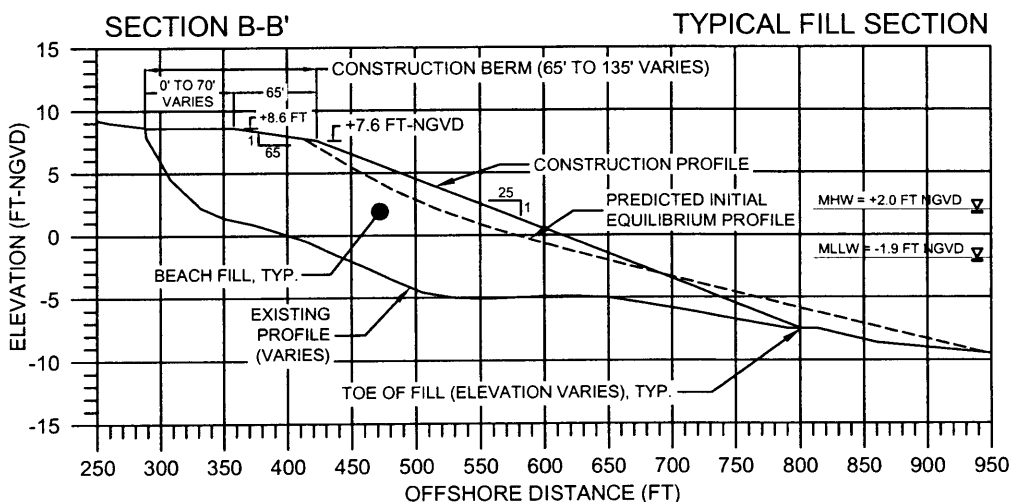
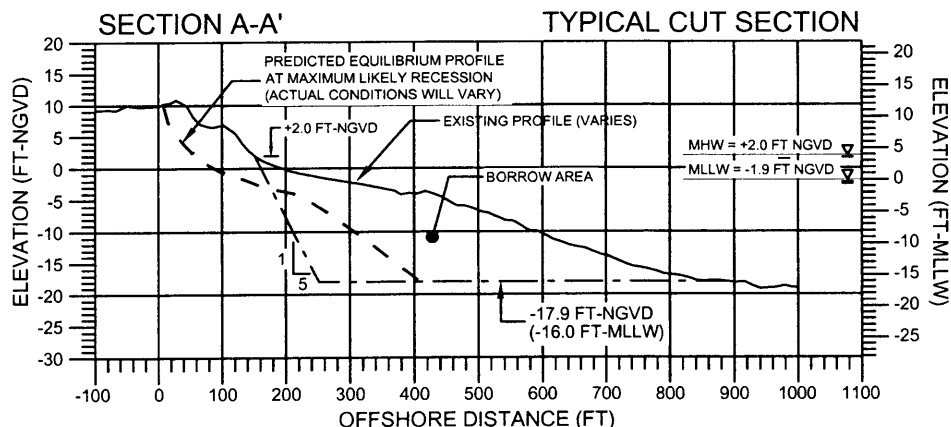
CANAVERAL PORT AUTHORITY
CANAVERAL HARBOR SAND BYPASS PROJECT
GENERAL PLAN

DATE:	APPROVED:	REVISION:	DATE:
			05/15/03
			DRAWN BY:
			W.A.H.

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DER APPL #
DATE 11 SEPT 03
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EXISTING FEDERAL PROJECT

PROPOSED SOUTHWARD
EXTENSION OF PROJECT
FILL AREA



NOT FOR PURPOSES OF CONSTRUCTION

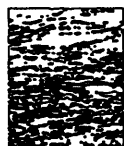
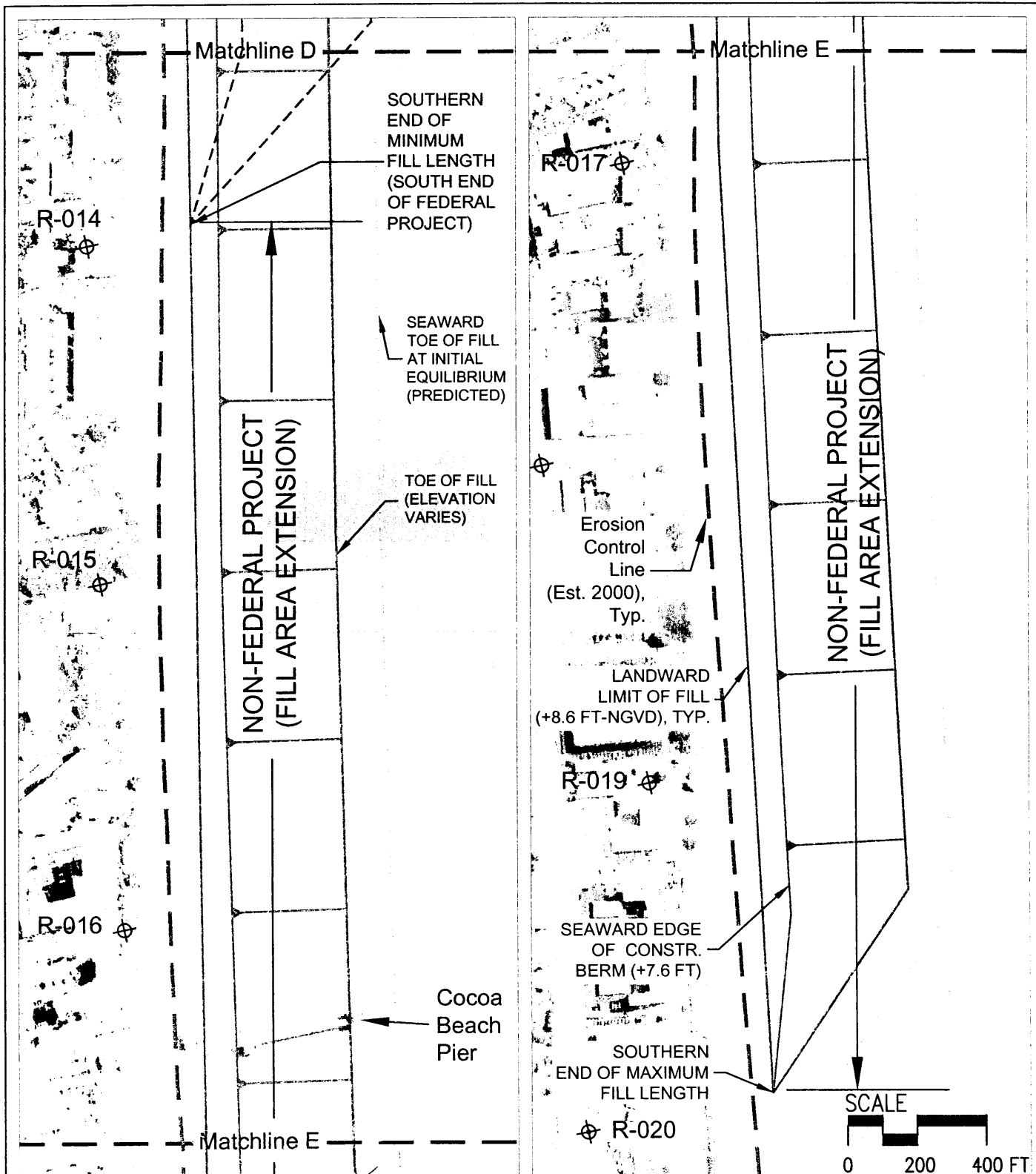


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K.P. Budge
6/30/03
**CANAVERAL PORT AUTHORITY
CANAVERAL HARBOR SAND BYPASS PROJECT
TYPICAL SECTIONS (CUT & FILL)**

DATE:	APPROVED:	REVISION:	DATE:
			05/15/03
			DRAWN BY: W.A.H.

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DER APPL # _____
DATE 11 SEPT 03
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W.A.H. 6/30/03
**CANAVERAL PORT AUTHORITY
CANAVERAL HARBOR SAND BYPASS PROJECT
FILL AREA PLAN VIEW - DETAIL**

DATE:	APPROVED:	REVISION:	DATE:
			05/15/03
			DRAWN BY:
			W.A.H.

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DER APPL # _____
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IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.


John R. Hall
Chief, Regulatory Division